

## **EXHIBIT 7**



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: July 05, 2011.**

**CRAIG A. GARGOTTA  
UNITED STATES BANKRUPTCY JUDGE**

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**IN RE:**

**UTEX COMMUNICATIONS CORP.,**

**Debtor-in-Possession.**

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§

**CHAPTER 11**

**CASE NO. 10-10599-cag**

**AGREED ORDER ADOPTING STIPULATION CONCERNING USAC MOTION FOR  
RELIEF FROM AUTOMATIC STAY**

**CAME ON TO BE CONSIDERED** Universal Service Administrative Company's ("USAC") Motion for Relief From Stay (Doc 209).

The Court finds that the appropriate parties were served with the Motion and the notice of the hearing. The Court finds that UTEX Communications Corp. d/b/a FeatureGroup IP ("UTEX" or the "Debtor") would have opposed the relief requested in the Motion as stated. The Court further finds that the Debtor and USAC have entered into an agreement concerning the Motion as contained herein and that such agreement is reasonable and should be approved by this Court.

The Court finds that USAC plead that USAC's administration of the USF is not subject to the automatic stay. Rather USAC contends that USAC's administration is authorized and directed by, inter alia, the Telecommunications Act of 1996, regulations set forth in 47 C.F.R. Part 54 and relevant FCC orders. USAC asserts that this administration is overseen not through the bankruptcy courts but instead through a requirement that carriers exhaust administrative remedies before the FCC and then to the federal courts of appeal. USAC asserts, further, that the principles of "recoupment" apply to its Annual True-Up (as that term is defined in the Motion for Relief From Stay) of the Debtor's 2008 revenue reported on its 2009 Form 499-A.

The Court finds that UTEX would have asserted that the automatic stay does apply. UTEX would have argued that the exception in Bankruptcy Code Section 364(b)(4) does not apply because the universal service "involuntary contributions" in issue do not relate to the "police or regulatory" powers of the federal government but instead its pecuniary interests or vindication of private rights. UTEX would have also asserted that regardless of whether any administrative proceedings are allowed to continue, Bankruptcy Code Section 362(b)(5) requires that collection of any pre-petition or post-petition amounts remain subject to the stay. UTEX would have contended that USAC is not entitled to "recoupment" independent of the bankruptcy laws and processes because (1) there was not a "single transaction"; (2) the issues do not relate to an attempt "to reduce the amount of a plaintiff's claim by asserting a claim against plaintiff which arose out of the same transaction to arrive at a just and proper liability on the plaintiff's claim" given that UTEX is not a "plaintiff" seeking any affirmative relief against USAC and USAC is not a "defendant"; and (3) USAC has not made any "payment" to UTEX that it is entitled to "recoup" under equitable considerations.

The Court finds that the parties have reached a stipulated agreement. Pursuant to this agreement, (i) USAC has reserved all rights regarding its argument that the automatic stay is inapplicable to its administration of the USF, and (ii) neither the parties nor the Court shall be deemed to have addressed whether the automatic stay applies as the parties have resolved this by agreement, which this Court approves.

**IT IS THEREFORE ORDERED ADJUDGED AND DECREED** that, to date, no action taken by USAC has violated the automatic stay provisions of 11 U.S.C. § 362;

**IT IS FURTHER ORDERED** that, to the extent necessary, the stay is hereby lifted from and after the date of this Order so as to allow USAC (or a division of USAC or the Administrator) to proceed forward and respond to the Debtor's letter of April 27, 2011 and issue a decision regarding UTEX's USF-related obligation for calendar year 2008, in connection with the 2009 Annual True-Up.

**IT IS FURTHER ORDERED** that UTEX may, if it is dissatisfied with USAC's response to the Debtor's letter of April 27, 2011, seek review pursuant to 47 C.F.R. Part 54, Subpart I and, further, that the result of UTEX's exhaustion of administrative remedies within USAC, the FCC and, if necessary the courts of appeal, shall be the sole means by which UTEX's USF obligations and rights are quantified.

**IT IS FURTHER ORDERED** that to the extent that USAC, the FCC or the federal appellate courts determine that USAC has one or more pre-petition claims against UTEX for contributions to the USF, USAC shall pursue its pre-petition claim within the bankruptcy proceedings by filing a proof of claim form and, as may be necessary, amending that form. Further, UTEX shall be entitled to treat any pre-petition claim asserted by USAC pursuant to its

a plan of reorganization, subject to (i) USAC's right to object to any such plan; and (ii) confirmation of any such plan by this Court.

**IT IS FURTHER ORDERED** that to the extent that USAC, the FCC or the federal appellate courts determine that the Debtor is entitled to any credits for pre-petition over-payments into the USF, then those credits, after satisfaction of all unpaid pre-petition USF obligations, if any, shall be the property of the bankruptcy estate.

**IT IS FURTHER ORDERED** that nothing herein shall prohibit or restrict USAC's right to pursue allowance and payment of any post-petition administrative claims for unpaid USF contributions pursuant to 11 U.S.C. § 503 and the Debtor has reserved all rights to object thereto.

**IT IS FURTHER ORDERED** that nothing herein shall prohibit or restrict USAC's right to file a subsequent motion for relief from the automatic stay to the extent that USAC determines that such a request is necessary.

**IT IS FURTHER ORDERED** that pursuant to Bankruptcy Rule 4001(a)(3) this Order is not stayed and is effective immediately.

**APPROVED AS TO FORM AND CONTENT**

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By: /s/ Keith M. Aurzada (signed by J. D. Martinec with permission)  
Keith M. Aurzada  
State Bar No. 24009880  
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By: /s/ Joseph D. Martinec  
Joseph D. Martinec  
State Bar No. 13137500  
ATTORNEYS FOR DEBTOR-IN-POSSESSION

## **EXHIBIT 8**



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000483278  
**Statement Date:** 04/22/2011  
**New Balance:** \$ 6,077.46  
**Payment Due Date:** 05/13/2011  
**Amount Enclosed:**

UTEX Communications Corp  
 Attention: Richard Lewis  
 1250 S Capital of Texas Hwy, Bldg 2-235  
 West Lake Hills, TX, 78746

**Mail Payment To:**

**Universal Service Administrative Company**  
**PO Box 105056**  
**Atlanta, GA 30348-5056**

Address Change? See reverse side for instructions.

☐ If paying for multiple Filer 499 IDs, please check here and complete form on back.

Send top portion of statement with payment in enclosed envelope. Keep bottom portion for your records.

**STATEMENT OF ACCOUNT**

Date	Description	Charges	Credits
	<b>Previous Balance</b>	<b>\$110,039.95</b>	
04/15/2011	Bankruptcy A/R Transfer		(\$104,023.11)
04/15/2011	Bankruptcy A/R Transfer		(\$272.31)
04/15/2011	Rural Health Care Support Mechanism Adjustment - 2009 499A	\$7.75	
04/15/2011	Low Income Support Mechanism Adjustment - 2009 499A	\$31.91	
04/15/2011	Interest & DCIA Penalties	\$60.62	
04/15/2011	Schools & Libraries Support Mechanism Adjustment - 2009 499A	\$74.94	
04/15/2011	High Cost Support Mechanism Adjustment - 2009 499A	\$157.71	
<b>TOTAL OUTSTANDING USAC BALANCE AS OF 4/15/2011</b>		<b>\$6,077.46</b>	

Transactions occurring after 04/15/2011 are not reflected on this statement.

Under the Debt Collection Improvement Act of 1996 (Pub. L. 104-134) (DCIA), your BALANCE DUE is a demand that you pay a DEBT owed to the United States on or before the DUE DATE. If the DUE DATE is non-business day, payment must be received the business day before that date. Any portion of the DEBT unpaid after the DUE DATE is a DELINQUENT DEBT, which may result in sanctions, including interest, penalties, and administrative charges. Failure to file a Telecommunications Worksheet may result in a late filing fee DEBT added to your BALANCE DUE. Read the reverse of this Invoice for important information about those sanctions and your legal rights and obligations.

Statement Date	Invoice Number	Filer 499 ID	Balance Due USAC
04/22/2011	UBDI0000483278	825102	\$ 6,077.46
<b>FORM 499Q DATA</b>  This month's support mechanism charges were calculated using an FCC contribution factor of 0.149000 and the following revenue data:  <div style="margin-left: 40px;"> <u>February 2011 499Q</u>              120b \$0.00              120c \$0.00              If the figures do not correspond with your records, please contact USAC Customer Service at 888-641-8722           </div>		<b>PAYMENT INFORMATION</b>  All payments received (regardless of specific instructions) will be applied to your outstanding USAC balance in historical order as outlined in FCC order 07-150.  Please remit ACH payments in a CCD+ format to ABA #071000039, Account #5590045653.  All Wire Transfers should be sent to ABA #026009593, DDA (or Account) #5590045653.  Payments must include your Company Name, Filer 499 ID, and Invoice Number to ensure timely posting.	





**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000483278  
**Statement Date:** 04/22/2011

## DETAILED SUMMARY OF CHARGES AND CREDITS

### SUPPORT MECHANISM CHARGES

Your monthly support mechanism charges were calculated according to the following formulas:

#### Quarterly Contribution Base

The quarterly contribution base is a portion of your quarterly revenue that USAC considers when determining your quarterly Universal Service Fund contribution. The quarterly contribution base equals your interstate plus international revenue. Your current quarterly contribution base equals:

$$\frac{\$ 0.00}{\text{Interstate Revenue (Line 120B)}} + \frac{\$ 0.00}{\text{International Revenue (Line 120C)}} = \frac{\$ 0.00}{\text{Quarterly Contribution Base}}$$

#### Adjusted Quarterly Contribution

USAC adjusts carriers' quarterly contribution bases by the amount that they are expected to contribute in that quarter. The calculation for an adjusted contribution amount is as follows, and takes into account the circularity deduction:

$$\frac{\$ 0.00}{\text{Quarterly Contribution Base}} * \frac{0.149000}{\text{FCC Contribution Factor}} = \frac{\text{Unadjusted Contribution}}$$

$$\frac{\text{Unadjusted Contribution}}{\text{Unadjusted Contribution}} - \left( \frac{\text{Unadjusted Contribution}}{\text{Unadjusted Contribution}} * \frac{0.133090}{\text{FCC Circularity Factor}} \right) = \frac{\text{Adjusted Contribution}}$$



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000483278  
**Statement Date:** 04/22/2011

### De Minimis Eligibility

Carriers whose expected annual contribution is less than \$10,000 are considered de minimis and are exempted from paying into the Universal Service Fund. To be exempt, a carrier must meet the de minimis criteria on both the current 499A and 499Q forms.

You meet the de minimis criteria on both the 499A and the current 499Q. Therefore, you are eligible for the de minimis exemption during the current quarter.

Your eligibility was calculated using the contribution factors established by the FCC for determining de minimis status on each form:

#### 499A:

499A Contribution Base	*	0.123000 FCC Estimated Annual Factor	=	Estimated 499A Contribution
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#### 499Q:

Adjusted Contribution	*	4	=	Estimated 499Q Contribution
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For more information on the FCC estimated annual factor, please see the Form 499A Instructions. For more information on the current FCC contribution factor, visit the FCC website at [www.fcc.gov](http://www.fcc.gov).

### Support Mechanism Charges

Your total monthly contribution is determined by multiplying one-third of your adjusted quarterly contribution base by the current quarter's FCC contribution factor. Your contribution is then allocated among the four support mechanisms according to the established allocation percentages for the current quarter.

1/3	*	Adjusted Quarterly Contribution	=	Total Monthly Contribution
Total Monthly Contribution	*	0.537070 High Cost Allocation Percentage	=	\$ 0.00 High Cost Support Mechanism Charge
Total Monthly Contribution	*	0.177981 Low Income Allocation Percentage	=	\$ 0.00 Low Income Support Mechanism Charge
Total Monthly Contribution	*	0.010917 Rural Health Care Allocation Percentage	=	\$ 0.00 Rural Health Care Support Mechanism Charge
Total Monthly Contribution	*	0.274032 Schools & Libraries Allocation Percentage	=	\$ 0.00 Schools & Libraries Support Mechanism Charge

### Credits & Payments

Date	Description	Amount
04/15/2011	Bankruptcy A/R Transfer	(\$104,023.11)
04/15/2011	Bankruptcy A/R Transfer	(\$272.31)
	<b>TOTAL</b>	<b>(\$104,295.42)</b>



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000483278  
**Statement Date:** 04/22/2011

### Interest & DCIA Penalties

A DELINQUENT DEBT incurs interest at the annual rate equal to the U.S. prime rate as of the DATE OF DELINQUENCY plus 3.5 percent from that DATE until the DEBT is paid in full. Any portion of the DEBT unpaid more than 90 days, incurs a penalty of 6 percent a year from the DATE OF DELINQUENCY. The reverse of the Invoice provides more information on interest, penalties, and administrative charges. reverse of the Invoice provides more information on interest, penalties, and administrative charges.

### Payments & Credits Applied

Description - Debt Due Date	Principal	Payment/ Credit Date	Interest Rate	Days Late	Additional Interest (B*(D/365)*E)	Accrued Interest	Total Interest (F+G)	Payment & Credits Applied	Interest Outstanding	Principal Outstanding
A	B	C	D	E	F	G	H	I	J	K
UBDI0000432411 - 8/13/2010	\$5,598.36	4/15/11	6.75%	31	\$32.10	\$221.57	\$253.67	(\$6,077.46)	\$0.00	\$0.00
		DCIA Penalty	6.00%	31	\$28.52	\$196.91	\$225.43		\$0.00	
UBDI0000478330 - 4/15/2011	\$104,023.11	4/15/11	6.75%	0	\$0.00	\$0.00	\$0.00	(\$98,217.96)	\$0.00	\$5,805.15
Outstanding Items										
UBDI0000478330 - 4/15/2011	\$5,805.15		6.75%	0	\$0.00	\$0.00	\$0.00		\$0.00	\$5,805.15
UBDI0000483278 - 5/13/2011	\$272.31		0.00%	0	\$0.00	\$0.00	\$0.00		\$0.00	\$272.31
					\$60.62			(\$104,295.42)	\$0.00	\$6,077.46
Principal Outstanding										\$6,077.46
Interest & Penalties										\$0.00
Total Amount Due										\$6,077.46

### BANKRUPTCY AR TRANSFER

To remove your pre-petition debts from our current collections, a bankruptcy AR transfer has been applied to your account.

04/15/2011	(\$104,295.42)	xfer March'11 Pre-pet. SM Adj. due to 2009A Amended form cancellation
Date	Amount	Explanation



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000488242  
**Statement Date:** 05/20/2011  
**New Balance:** \$ 6,077.46  
**Payment Due Date:** 06/15/2011  
**Amount Enclosed:**

UTEX Communications Corp  
 Attention: Richard Lewis  
 1250 S Capital of Texas Hwy, Bldg 2-235  
 West Lake Hills, TX, 78746

**Mail Payment To:**

**Universal Service Administrative Company**  
**PO Box 105056**  
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**STATEMENT OF ACCOUNT**

Date	Description	Charges	Credits
	<b>Previous Balance</b>	<b>\$6,077.46</b>	
05/13/2011	Bankruptcy A/R Transfer		(\$272.31)
05/13/2011	Rural Health Care Support Mechanism Adjustment - 2009 499A	\$7.75	
05/13/2011	Low Income Support Mechanism Adjustment - 2009 499A	\$31.91	
05/13/2011	Schools & Libraries Support Mechanism Adjustment - 2009 499A	\$74.94	
05/13/2011	High Cost Support Mechanism Adjustment - 2009 499A	\$157.71	
<b>TOTAL OUTSTANDING USAC BALANCE AS OF 5/13/2011</b>		<b>\$6,077.46</b>	

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Statement Date	Invoice Number	Filer 499 ID	Balance Due USAC
05/20/2011	UBDI0000488242	825102	\$ 6,077.46
<b>FORM 499Q DATA</b>  This month's support mechanism charges were calculated using an FCC contribution factor of 0.149000 and the following revenue data:  <div style="margin-left: 40px;"> <u>February 2011 499Q</u>              120b \$0.00              120c \$0.00           </div> If the figures do not correspond with your records, please contact USAC Customer Service at 888-641-8722		<b>PAYMENT INFORMATION</b>  All payments received (regardless of specific instructions) will be applied to your outstanding USAC balance in historical order as outlined in FCC order 07-150.  Please remit ACH payments in a CCD+ format to ABA #071000039, Account #5590045653.  All Wire Transfers should be sent to ABA #026009593, DDA (or Account) #5590045653.  Payments must include your Company Name, Filer 499 ID, and Invoice Number to ensure timely posting.	



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000488242  
**Statement Date:** 05/20/2011

## DETAILED SUMMARY OF CHARGES AND CREDITS

### SUPPORT MECHANISM CHARGES

Your monthly support mechanism charges were calculated according to the following formulas:

#### Quarterly Contribution Base

The quarterly contribution base is a portion of your quarterly revenue that USAC considers when determining your quarterly Universal Service Fund contribution. The quarterly contribution base equals your interstate plus international revenue. Your current quarterly contribution base equals:

$$\frac{\$ 0.00}{\text{Interstate Revenue (Line 120B)}} + \frac{\$ 0.00}{\text{International Revenue (Line 120C)}} = \frac{\$ 0.00}{\text{Quarterly Contribution Base}}$$

#### Adjusted Quarterly Contribution

USAC adjusts carriers' quarterly contribution bases by the amount that they are expected to contribute in that quarter. The calculation for an adjusted contribution amount is as follows, and takes into account the circularity deduction:

$$\frac{\$ 0.00}{\text{Quarterly Contribution Base}} * \frac{0.149000}{\text{FCC Contribution Factor}} = \frac{\text{Unadjusted Contribution}}$$

$$\frac{\text{Unadjusted Contribution}}{\text{Unadjusted Contribution}} - \left( \frac{\text{Unadjusted Contribution}}{\text{Unadjusted Contribution}} * \frac{0.133090}{\text{FCC Circularity Factor}} \right) = \frac{\text{Adjusted Contribution}}$$



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000488242  
**Statement Date:** 05/20/2011

### De Minimis Eligibility

Carriers whose expected annual contribution is less than \$10,000 are considered de minimis and are exempted from paying into the Universal Service Fund. To be exempt, a carrier must meet the de minimis criteria on both the current 499A and 499Q forms.

You meet the de minimis criteria on both the 499A and the current 499Q. Therefore, you are eligible for the de minimis exemption during the current quarter.

Your eligibility was calculated using the contribution factors established by the FCC for determining de minimis status on each form:

#### 499A:

499A Contribution Base	*	0.123000	=	Estimated 499A Contribution
		FCC Estimated Annual Factor		

#### 499Q:

Adjusted Contribution	*	4	=	Estimated 499Q Contribution
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For more information on the FCC estimated annual factor, please see the Form 499A Instructions. For more information on the current FCC contribution factor, visit the FCC website at [www.fcc.gov](http://www.fcc.gov).

### Support Mechanism Charges

Your total monthly contribution is determined by multiplying one-third of your adjusted quarterly contribution base by the current quarter's FCC contribution factor. Your contribution is then allocated among the four support mechanisms according to the established allocation percentages for the current quarter.

1/3	*	Adjusted Quarterly Contribution	=	Total Monthly Contribution
		0.537070		\$ 0.00
Total Monthly Contribution	*	High Cost Allocation Percentage	=	High Cost Support Mechanism Charge
		0.177981		\$ 0.00
Total Monthly Contribution	*	Low Income Allocation Percentage	=	Low Income Support Mechanism Charge
		0.010917		\$ 0.00
Total Monthly Contribution	*	Rural Health Care Allocation Percentage	=	Rural Health Care Support Mechanism Charge
		0.274032		\$ 0.00
Total Monthly Contribution	*	Schools & Libraries Allocation Percentage	=	Schools & Libraries Support Mechanism Charge

### Credits & Payments

Date	Description	Amount
05/13/2011	Bankruptcy A/R Transfer	(\$272.31)
	TOTAL	(\$272.31)



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000488242  
**Statement Date:** 05/20/2011

### Interest & DCIA Penalties

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UBDI0000478330 - 4/15/2011	\$5,805.15	5/13/11	6.75%	0	\$0.00	\$0.00	\$0.00	(\$272.31)	\$0.00	\$5,532.84
<b>Outstanding Items</b>										
UBDI0000478330 - 4/15/2011	\$5,532.84		6.75%	0	\$0.00	\$0.00	\$0.00		\$0.00	\$5,532.84
UBDI0000483278 - 5/13/2011	\$272.31		6.75%	0	\$0.00	\$0.00	\$0.00		\$0.00	\$272.31
UBDI0000488242 - 6/15/2011	\$272.31		0.00%	0	\$0.00	\$0.00	\$0.00		\$0.00	\$272.31
					\$0.00			(\$272.31)	\$0.00	\$6,077.46
								<b>Principal Outstanding</b>		<b>\$6,077.46</b>
								<b>Interest &amp; Penalties</b>		<b>\$0.00</b>
								<b>Total Amount Due</b>		<b>\$6,077.46</b>

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To remove your pre-petition debts from our current collections, a bankruptcy AR transfer has been applied to your account.

05/13/2011	(\$272.31)	xfer May'11 instal. of Pre-pet. SM Adj. due to 2009A Amended form cancellation
Date	Amount	Explanation



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000493226  
**Statement Date:** 06/22/2011  
**New Balance:** \$ 6,140.46  
**Payment Due Date:** 07/15/2011  
**Amount Enclosed:**

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**STATEMENT OF ACCOUNT**

Date	Description	Charges	Credits
	<b>Previous Balance</b>	<b>\$6,077.46</b>	
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06/15/2011	Low Income Support Mechanism Adjustment - 2009 499A	\$31.91	
06/15/2011	Interest & DCIA Penalties	\$63.00	
06/15/2011	Schools & Libraries Support Mechanism Adjustment - 2009 499A	\$74.94	
06/15/2011	High Cost Support Mechanism Adjustment - 2009 499A	\$157.71	
<b>TOTAL OUTSTANDING USAC BALANCE AS OF 6/15/2011</b>		<b>\$6,140.46</b>	

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Statement Date	Invoice Number	Filer 499 ID	Balance Due USAC
06/22/2011	UBDI0000493226	825102	\$ 6,140.46
<b>FORM 499Q DATA</b>  This month's support mechanism charges were calculated using an FCC contribution factor of 0.149000 and the following revenue data:  <div style="margin-left: 40px;"> <b>February 2011 499Q</b>              120b \$0.00              120c \$0.00           </div> If the figures do not correspond with your records, please contact USAC Customer Service at 888-641-8722		<b>PAYMENT INFORMATION</b>  All payments received (regardless of specific instructions) will be applied to your outstanding USAC balance in historical order as outlined in FCC order 07-150.  Please remit ACH payments in a CCD+ format to ABA #071000039, Account #5590045653.  All Wire Transfers should be sent to ABA #026009593, DDA (or Account) #5590045653.  Payments must include your Company Name, Filer 499 ID, and Invoice Number to ensure timely posting.	





**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000493226  
**Statement Date:** 06/22/2011

## DETAILED SUMMARY OF CHARGES AND CREDITS

### SUPPORT MECHANISM CHARGES

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$$\frac{\$ 0.00}{\text{Interstate Revenue (Line 120B)}} + \frac{\$ 0.00}{\text{International Revenue (Line 120C)}} = \frac{\$ 0.00}{\text{Quarterly Contribution Base}}$$

#### Adjusted Quarterly Contribution

USAC adjusts carriers' quarterly contribution bases by the amount that they are expected to contribute in that quarter. The calculation for an adjusted contribution amount is as follows, and takes into account the circularity deduction:

$$\frac{\$ 0.00}{\text{Quarterly Contribution Base}} * \frac{0.149000}{\text{FCC Contribution Factor}} = \frac{\text{Unadjusted Contribution}}$$

$$\frac{\text{Unadjusted Contribution}}{\text{Unadjusted Contribution}} - \left( \frac{\text{Unadjusted Contribution}}{\text{Unadjusted Contribution}} * \frac{0.133090}{\text{FCC Circularity Factor}} \right) = \frac{\text{Adjusted Contribution}}$$



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000493226  
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### De Minimis Eligibility

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You meet the de minimis criteria on both the 499A and the current 499Q. Therefore, you are eligible for the de minimis exemption during the current quarter.

Your eligibility was calculated using the contribution factors established by the FCC for determining de minimis status on each form:

#### 499A:

499A Contribution Base	*	0.123000	=	Estimated 499A Contribution
		FCC Estimated Annual Factor		

#### 499Q:

Adjusted Contribution	*	4	=	Estimated 499Q Contribution
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For more information on the FCC estimated annual factor, please see the Form 499A Instructions. For more information on the current FCC contribution factor, visit the FCC website at [www.fcc.gov](http://www.fcc.gov).

### Support Mechanism Charges

Your total monthly contribution is determined by multiplying one-third of your adjusted quarterly contribution base by the current quarter's FCC contribution factor. Your contribution is then allocated among the four support mechanisms according to the established allocation percentages for the current quarter.

1/3	*	Adjusted Quarterly Contribution	=	Total Monthly Contribution
		0.537070		\$ 0.00
Total Monthly Contribution	*	High Cost Allocation Percentage	=	High Cost Support Mechanism Charge
		0.177981		\$ 0.00
Total Monthly Contribution	*	Low Income Allocation Percentage	=	Low Income Support Mechanism Charge
		0.010917		\$ 0.00
Total Monthly Contribution	*	Rural Health Care Allocation Percentage	=	Rural Health Care Support Mechanism Charge
		0.274032		\$ 0.00
Total Monthly Contribution	*	Schools & Libraries Allocation Percentage	=	Schools & Libraries Support Mechanism Charge

### Credits & Payments

Date	Description	Amount
06/15/2011	Bankruptcy A/R Transfer	(\$272.31)
	<b>TOTAL</b>	<b>(\$272.31)</b>



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000493226  
**Statement Date:** 06/22/2011

### Interest & DCIA Penalties

A DELINQUENT DEBT incurs interest at the annual rate equal to the U.S. prime rate as of the DATE OF DELINQUENCY plus 3.5 percent from that DATE until the DEBT is paid in full. Any portion of the DEBT unpaid more than 90 days, incurs a penalty of 6 percent a year from the DATE OF DELINQUENCY. The reverse of the Invoice provides more information on interest, penalties, and administrative charges. reverse of the Invoice provides more information on interest, penalties, and administrative charges.

### Payments & Credits Applied

Description - Debt Due Date	Principal	Payment/ Credit Date	Interest Rate	Days Late	Additional Interest (B*(D/365)*E)	Accrued Interest	Total Interest (F+G)	Payment & Credits Applied	Interest Outstanding	Principal Outstanding
A	B	C	D	E	F	G	H	I	J	K
UBDI0000478330 - 4/15/2011	\$5,532.84	6/15/11	6.75%	60	\$61.39	\$0.00	\$61.39	(\$272.31)	\$0.00	\$5,321.92

### Outstanding Items

UBDI0000478330 - 4/15/2011	\$5,321.92		6.75%	0	\$0.00	\$0.00	\$0.00		\$0.00	\$5,321.92
UBDI0000483278 - 5/13/2011	\$272.31		6.75%	32	\$1.61	\$0.00	\$1.61		\$1.61	\$272.31
UBDI0000488242 - 6/15/2011	\$272.31		6.75%	0	\$0.00	\$0.00	\$0.00		\$0.00	\$272.31
UBDI0000493226 - 7/15/2011	\$272.31		0.00%	0	\$0.00	\$0.00	\$0.00		\$0.00	\$272.31

\$63.00

(\$272.31)

\$1.61

\$6,138.85

**Principal Outstanding**

**\$6,138.85**

**Interest & Penalties**

**\$1.61**

**Total Amount Due**

**\$6,140.46**

### BANKRUPTCY AR TRANSFER

To remove your pre-petition debts from our current collections, a bankruptcy AR transfer has been applied to your account.

06/15/2011	(\$272.31)	xfer Jun'11 instal. of Pre-pet. SM Adj. due to 2009A Amended form cancellation
Date	Amount	Explanation

## **EXHIBIT 9**



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000522240  
**Statement Date:** 11/22/2011  
**New Balance:** \$ 600.91  
**Payment Due Date:** 12/15/2011  
**Amount Enclosed:**

UTEX Communications Corp  
 Attention: Richard Lewis  
 1250 S Capital of Texas Hwy, Bldg 2-235  
 West Lake Hills, TX, 78746

**Mail Payment To:**

Universal Service Administrative Company  
 PO Box 105056  
 Atlanta, GA 30348-5056

Address Change? See reverse side for instructions.

☐ If paying for multiple Filer 499 IDs, please check here and complete form on back.

Send top portion of statement with payment in enclosed envelope. Keep bottom portion for your records.

**STATEMENT OF ACCOUNT**

Date	Description	Charges	Credits
	<b>Previous Balance</b>	<b>\$594.49</b>	
11/15/2011	High Cost Support Mechanism Credit - 2009 499A		(\$60,247.29)
11/15/2011	Schools & Libraries Support Mechanism Credit - 2009 499A		(\$28,628.82)
11/15/2011	Low Income Support Mechanism Credit - 2009 499A		(\$12,188.28)
11/15/2011	Rural Health Care Support Mechanism Credit - 2009 499A		(\$2,958.72)
11/15/2011	High Cost Support Mechanism Credit - 2009 499A		(\$473.13)
11/15/2011	Schools & Libraries Support Mechanism Credit - 2009 499A		(\$224.82)
11/15/2011	Low Income Support Mechanism Credit - 2009 499A		(\$95.73)
11/15/2011	Rural Health Care Support Mechanism Credit - 2009 499A		(\$23.25)
11/15/2011	Interest & DCIA Penalties	\$6.42	
11/15/2011	Bankruptcy A/R Transfer Adjustment	\$816.93	
11/15/2011	Bankruptcy A/R Transfer Adjustment	\$104,023.11	
<b>TOTAL OUTSTANDING USAC BALANCE AS OF 11/15/2011</b>		<b>\$600.91</b>	

Transactions occurring after 11/15/2011 are not reflected on this statement.

Under the Debt Collection Improvement Act of 1996 (Pub. L. 104-134) (DCIA), your BALANCE DUE is a demand that you pay a DEBT owed to the United States on or before the DUE DATE. If the DUE DATE is non-business day, payment must be received the business day before that date. Any portion of the DEBT unpaid after the DUE DATE is a DELINQUENT DEBT, which may result in sanctions, including interest, penalties, and administrative charges. Failure to file a Telecommunications Worksheet may result in a late filing fee DEBT added to your BALANCE DUE. **Read the reverse of this invoice for important information about those sanctions and your legal rights and obligations.**

Statement Date	Invoice Number	Filer 499 ID	Balance Due USAC
11/22/2011	UBDI0000522240	825102	\$ 600.91
<b>FORM 499Q DATA</b>  This month's support mechanism charges were calculated using an FCC contribution factor of 0.153000 and the following revenue data:  <div style="display: flex; justify-content: space-between;"> <div>August 2011 499Q</div> <div></div> </div> <div style="display: flex; justify-content: space-between;"> <div>120b</div> <div>\$0.00</div> </div> <div style="display: flex; justify-content: space-between;"> <div>120c</div> <div>\$0.00</div> </div> If the figures do not correspond with your records, please contact USAC Customer Service at 888-641-8722		<b>PAYMENT INFORMATION</b>  All payments received (regardless of specific instructions) will be applied to your outstanding USAC balance in historical order as outlined in FCC order 07-150.  Please remit ACH payments in a CCD+ format to ABA #071000039, Account #5590045653.  All Wire Transfers should be sent to ABA #026009593, DDA (or Account) #5590045653.  Payments must include your Company Name, Filer 499 ID, and Invoice Number to ensure timely posting.	



**Filer 499 ID:** 825102  
**Invoice Number:** UBDI0000522240  
**Statement Date:** 11/22/2011

## DETAILED SUMMARY OF CHARGES AND CREDITS

### SUPPORT MECHANISM CHARGES

Your monthly support mechanism charges were calculated according to the following formulas:

#### Quarterly Contribution Base

The quarterly contribution base is a portion of your quarterly revenue that USAC considers when determining your quarterly Universal Service Fund contribution. The quarterly contribution base equals your interstate plus international revenue. Your current quarterly contribution base equals:

$$\frac{\$ 0.00}{\text{Interstate Revenue (Line 120B)}} + \frac{\$ 0.00}{\text{International Revenue (Line 120C)}} = \frac{\$ 0.00}{\text{Quarterly Contribution Base}}$$

#### Adjusted Quarterly Contribution

USAC adjusts carriers' quarterly contribution bases by the amount that they are expected to contribute in that quarter. The calculation for an adjusted contribution amount is as follows, and takes into account the circularity deduction:

$$\frac{\$ 0.00}{\text{Quarterly Contribution Base}} * \frac{0.153000}{\text{FCC Contribution Factor}} = \frac{\text{Unadjusted Contribution}}$$

$$\frac{\text{Unadjusted Contribution}}{\text{Unadjusted Contribution}} - \left( \frac{\text{Unadjusted Contribution}}{\text{Unadjusted Contribution}} * \frac{0.132283}{\text{FCC Circularity Factor}} \right) = \frac{\text{Adjusted Contribution}}$$



### De Minimis Eligibility

Carriers whose expected annual contribution is less than \$10,000 are considered de minimis and are exempted from paying into the Universal Service Fund. To be exempt, a carrier must meet the de minimis criteria on both the current 499A and 499Q forms.

You meet the de minimis criteria on both the 499A and the current 499Q. Therefore, you are eligible for the de minimis exemption during the current quarter.

Your eligibility was calculated using the contribution factors established by the FCC for determining de minimis status on each form:

#### 499A:

<u>499A Contribution Base</u>	*	<u>0.123000</u>	=	<u>Estimated 499A Contribution</u>
		FCC Estimated Annual Factor		

#### 499Q:

<u>Adjusted Contribution</u>	*	<u>4</u>	=	<u>Estimated 499Q Contribution</u>
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For more information on the FCC estimated annual factor, please see the Form 499A Instructions. For more information on the current FCC contribution factor, visit the FCC website at [www.fcc.gov](http://www.fcc.gov).

### Support Mechanism Charges

Your total monthly contribution is determined by multiplying one-third of your adjusted quarterly contribution base by the current quarter's FCC contribution factor. Your contribution is then allocated among the four support mechanisms according to the established allocation percentages for the current quarter.

<u>1/3</u>	*	<u>Adjusted Quarterly Contribution</u>	=	<u>Total Monthly Contribution</u>
<u>Total Monthly Contribution</u>	*	<u>0.491996</u>	=	<u>\$ 0.00</u>
		High Cost Allocation Percentage		High Cost Support Mechanism Charge
<u>Total Monthly Contribution</u>	*	<u>0.242552</u>	=	<u>\$ 0.00</u>
		Low Income Allocation Percentage		Low Income Support Mechanism Charge
<u>Total Monthly Contribution</u>	*	<u>0.009970</u>	=	<u>\$ 0.00</u>
		Rural Health Care Allocation Percentage		Rural Health Care Support Mechanism Charge
<u>Total Monthly Contribution</u>	*	<u>0.255482</u>	=	<u>\$ 0.00</u>
		Schools & Libraries Allocation Percentage		Schools & Libraries Support Mechanism Charge

### Credits & Payments

Date	Description	Amount
11/15/2011	High Cost Support Mechanism Credit - 2009 499A	(\$60,247.29)
11/15/2011	Schools & Libraries Support Mechanism Credit - 2009 499A	(\$28,628.82)
11/15/2011	Low Income Support Mechanism Credit - 2009 499A	(\$12,188.28)
11/15/2011	Rural Health Care Support Mechanism Credit - 2009 499A	(\$2,958.72)
11/15/2011	High Cost Support Mechanism Credit - 2009 499A	(\$473.13)
11/15/2011	Schools & Libraries Support Mechanism Credit - 2009 499A	(\$224.82)
11/15/2011	Low Income Support Mechanism Credit - 2009 499A	(\$95.73)
11/15/2011	Rural Health Care Support Mechanism Credit - 2009 499A	(\$23.25)
	<b>TOTAL</b>	<b>(\$104,840.04)</b>

### Interest & DCIA Penalties

A DELINQUENT DEBT incurs interest at the annual rate equal to the U.S. prime rate as of the DATE OF DELINQUENCY plus 3.5 percent from that DATE until the DEBT is paid in full. Any portion of the DEBT unpaid more than 90 days, incurs a penalty of 6 percent a year from the DATE OF DELINQUENCY. The reverse of the Invoice provides more information on interest, penalties, and administrative charges. reverse of the Invoice provides more information on interest, penalties, and administrative charges.

### Payments & Credits Applied

Description - Debt Due Date	Principal	Payment/ Credit Date	Interest Rate	Days Late	Additional Interest (B*(D/365)*E)	Accrued Interest	Total Interest (F+G)	Payment & Credits Applied	Interest Outstanding	Principal Outstanding
A	B	C	D	E	F	G	H	I	J	K
UBDI0000483278 - 5/13/2011	\$28.51	11/15/11	6.75%	32	\$0.17	\$0.48	\$0.65	(\$30.03)	\$0.00	\$0.00
		DCIA Penalty	6.00%	32	\$0.15	\$0.72	\$0.87		\$0.00	
UBDI0000488242 - 6/15/2011	\$272.31	11/15/11	6.75%	32	\$1.62	\$6.10	\$7.72	(\$286.87)	\$0.00	\$0.00
		DCIA Penalty	6.00%	32	\$1.43	\$5.41	\$6.84		\$0.00	
UBDI0000493226 - 7/15/2011	\$272.31	11/15/11	6.75%	32	\$1.62	\$4.57	\$6.19	(\$284.01)	\$0.00	\$0.00
		DCIA Penalty	6.00%	32	\$1.43	\$4.08	\$5.51		\$0.00	
UBDI0000522240 - 12/15/2011	\$104,840.04	11/15/11	0.00%	0	\$0.00	\$0.00	\$0.00	(\$104,239.13)	\$0.00	\$600.91

### Outstanding Items

UBDI0000522240 - 12/15/2011	\$600.91		0.00%	0	\$0.00	\$0.00	\$0.00		\$0.00	\$600.91
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\$6.42

(\$104,840.04)

\$0.00

\$600.91

**Principal Outstanding**

**\$600.91**

**Interest & Penalties**

**\$0.00**

**Total Amount Due**

**\$600.91**

### BANKRUPTCY AR TRANSFER ADJUSTMENT

Since your pre-petition debt amount has changed, a bankruptcy AR transfer adjustment has been applied to your account.

11/15/2011	\$ 104,023.11	Reverse Apr'11-Jun'11 AR Transfers.[Nov'11 Adj.-xfr to Bkcy SL as Pre-pet.
Date	Amount	Explanation